

FISCAL NOTE LOG--HOUSE BILLS 2010

Thursday, January 28, 2010

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Bill Number (Appropriations in RED)	S t a t u s	Bill Title	Other Notes and Links	Link to Bill Status	USOE Tracking in Place	Date Received	Approval Required/ Completed	Assigned to	Date Sent to LFA	USOE Fiscal Note	LFA Fiscal Note
Draft Bill 2010FL- 0217/007		Amendments to Education Financing--Merlynn Newbold	Considered by Education Interim Committee 21 Oct 2009	No		16-Oct-09					
Draft Bill 2010FL- 0217/011		Amendments to Education Financing--Merlynn Newbold	Considered by Education Interim Committee 18 Nov 2009	No		3-Nov-09					
Draft Bill 2010FL- 0157/004		School District Division Amendment--Laura Black	Considered by Education Interim Committee 21 Oct 2009	No		16-Oct-09					
Draft Bill 2010FL- 0152/007		Per Diem and Travel Expense Modifications--Craig Frank		No		19-Nov-09		Jenefer	25-Nov-09	The proposed modifications to the bill codify language, streamlining it and adding clarity. Changes direct the reader to rules by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107, regarding per diem rates and travel expense, and will not require additional appropriations.	
Draft Bill 2010FL- 0091/018		Expungement Revisions--Julie Fisher		No		19-Nov-09		Randy	23-Nov-09	Although the bill includes the section of code (53A-6-306) which treats the "purposes, powers, and duties" of UPPAC, it only makes a technical correction and does not otherwise treat persons as educators or students.	
Draft Bill 2010FL- 0157/005		School District Division Amendment--Laura Black		No		19-Nov-09		Von	24-Nov-09	The changes mainly impact board members and changing how elected official are impacted by division of an existing school district. There may be some additional costs to elected officials but not to the state or the school districts. It also addresses some provisions of the division of assets. Since the division is of existing assets, there should be no additional cost over what is already in place with current code. This may actually lessen some costs in school district divisions.	
Draft Bill 2010FL- 0327/002		PROTECTED: School District Employees - Career Status Requirements--Ronda Menlove	Protected Bill	No		19-Nov-09		Emily	23-Nov-09	If a school district or charter school increases the number of years required to obtain career employee status, they may need to spend an additional \$500 to \$5000 per employee for additional mentoring and professional development support.	
H.J.R. 1		Joint Resolution Amending Provision on Municipal Water Rights--Kay L. McIlff		Yes						None Requested	Publication and distribution costs to put this resolution on the ballot will require a one-time FY 2011 appropriation of \$14,700 from the General Fund. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses
H.J.R. 2		Joint Resolution on Property Tax Exemption for Water Facilities--Kay L. McIlff		Yes						None Requested	Publication and distribution costs to put this resolution on the ballot will require a one-time FY 2011 appropriation of \$14,700 from the General Fund. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses
H.J.R. 3		Joint Resolution on Teacher Performance Pay--Marie H. Poulson		Yes						None Requested	Enactment of this bill will not require additional appropriations. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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H.B. 1		Minimum School Program Base Budget--Merlynn T. Newbold				25-Jan-10		Cathy	26-Jan-10	Because of the decrease in the value of the WPU, the decrease in the funding of various other programs, and an increase in student enrollment, educational opportunities for students could be affected.	Enactment of this bill appropriates \$2,012,597,223 in ongoing USF, \$20,000,000 in ongoing USF Restricted - Interest and Dividends, and \$584,414,678 in local school district property tax revenues to support the Minimum School Program and School Building Program in fiscal year 2011. The bill establishes the estimated minimum basic tax rate at .001513 and changes the value of each WPU from \$2.577 to \$2.487 for FY 2011. Individuals and businesses may be impacted through their associated dealings with school districts and charter schools.
H.B. 11		Licensing of Elevator Contractors and Elevator Mechanics--Larry B. Wiley		Yes						None Requested	This bill adds elevator contractors and mechanics to the professions licensed by the Department of Commerce. Assuming there are 10 elevator contractors and approximately 230 elevator mechanics, licensing revenue the first year of \$27,600 is expected; in FY 2012, the revenue would be approximately \$2,700. Initial start-up costs for the Department are estimated at \$15,000, with \$4,400 as the ongoing costs. Commerce Service Fund spending affects the annual transfer to the General Fund. Individuals and businesses licensed would pay the cost of the licensing and required continuing education.
H.B. 21		Expungement Revisions--Julie Fisher		Yes		15-Dec-09		Randy	15-Dec-09	Although the bill includes the section of code (53A-6-306) which treats the "purposes, powers, and duties" of UPPAC, it only makes a technical correction and does not otherwise treat persons as educators or students.	Enactment of this bill will not require additional appropriations. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 23		Workplace Drug and Alcohol Testing--Trisha Beck		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for local governments. Business and individuals may be impacted due to the proposed change in in statute.
H.B. 24		Economic Development Incentives Act Amendment--C. Brent Wallis	Builds on existing economic incentives program; expands tax incentive if firm expands at least \$10 million and adds high paying jobs to the state.	Yes						None Requested	Enactment of this bill would broaden the Economic Development Tax Increment Financing incentive to include major capital purchases. As a result, the state will forgo an estimated \$2.8 million per year in potential future sales tax collections. The amount of the forgone revenue will depend upon agreements authorized by the Business Development Board in the Governor's Office of Economic Development. Companies eligible for the new category of tax credit will receive credits of up to 30 percent of tax liability. Individuals and local governments will not be directly impacted by this legislation.
H.B. 27		Per Diem and Travel Expense Modifications--Craig Frank		Yes		16-Dec-09		Jenefer	21-Dec-09	The proposed modifications to the bill codify language, streamlining it and adding clarity. Changes direct the reader to rules by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107, regarding per diem rates and travel expense, and will not require additional appropriations.	Enactment of this bill reduces Board of Pardons & Parole expenditures by \$12,500 in FY 2011 and \$25,000 in FY 2012. Certain individuals may cease to receive per diem and travel reimbursement. Businesses and local governments are unaffected.
H.B. 29		School District Division Amendment--Laura Black		Yes		14-Dec-09		Von	28-Dec-09	The changes impact when and who must be elected to a school board following a school district division and how soon students from isolated areas would be impacted by the election. The result may be shorter terms for some existing board members in a precinct within a school district.	Enactment of this bill will not require additional appropriations. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 34		Water Storage Projects-- Michael E. Noel		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 39		Insurance Related Amendments--James Dunnigan		Yes						None Requested	Enactment of this bill will not require additional appropriations. The bill changes four funds from dedicated credits to restricted accounts. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 40		Utah Life and Health Insurance Guaranty Association Amendments--James Dunnigan		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals or local governments. Business may be impacted due to the proposed change in statute.

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H.B. 42		School District Employees-- Career Status Requirements-- Ronda Rudd Menlove		Yes		14-Dec-09		Emily	14-Dec-09	If a school district or charter school increases the number of years required to obtain career employee status, they may need to spend an additional \$500 to \$5000 per employee for additional mentoring and professional development support.	Enactment of this bill will not require additional appropriations. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 44		Referendum Ballot Proposition Amendments--Fred Hunsaker		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 45		State Construction Code Adoption--Michael T. Morley		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 54		Property Tax Exemption for Water Facilities--Patrick Painter	Tax Commission reports this will have a minimal impact on school districts due to the extremely small size of water companies affected.	Yes						None Requested	Enactment of this bill will not require additional appropriations. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 56		Amended Campaign Financial Statements--Sheryl L. Allen		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 58		Utah Generated Renewable Energy Electricity Network Authority Board Amendments-- Roger E. Barrus		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 59		Campaign Finance Revisions-- Keith Grover		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 71		Nicotine Product Restrictions-- Paul Ray		Yes		23-Dec-09		Emily	29-Dec-09	This bill will not require additional appropriations nor will it have a measurable fiscal impact on USOE, LEAs, or individuals.	This bill will have an ongoing net General Fund impact of \$4,300. The Courts will require \$8,600 in ongoing General Funds for increased workload costs. The bill generates \$4,300 in ongoing General Fund revenue and \$4,300 in restricted fund revenue. This bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses. Local jails may be impacted in increased offender housing costs.
H.B. 72		Utah School Seismic Hazard Inventory--Larry E. Wiley		Yes		6-Jan-10		Jenefer	11-Jan-10	Estimated costs obtained through Reavely Engineering. Costs would be approx: Elementary Schools & Misc. Educations Facilities \$1,500 - \$2,000; Junior High Schools & District Administrative Buildings \$2,500-3,000; High Schools \$5,000-6000. Estimated Total Based on Averages would be \$2,487,000 with a possible reduction of \$746,100 if 30% of schools have had the screening already, leaving a shortfall of \$1,240,900 because only \$500,000 of funding would be allocated in one-time monies in the proposed bill. Recommendation made by Reavely would be to consider using the American Society of Civil Engineers (ASCE) form ASCE 31 which is more comprehensive considers all portions of the structure, not just those specific to the "Rapid Visual Screening" designation. Unknown encumbrances and cost totals: Cost per diem for Public School Seismic Safety Committee members. Cost and impact to each school district, school and charter school FTE is unknown in relationship to the time involved to obtain screening, obtaining information and report occupancy; square footages of facilities; process paperwork for reimbursement; ensure access; and proper supervision of screening.	Enactment of this bill will appropriate one-time \$500,000 from the General Fund for FY 2011 and includes non-lapsing authority. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses. Local
H.B. 73		Utah Construction Trades Continuing Education Amendments--Michael T. Morley		Yes						None Requested	The Department of Commerce will incur expenses of approximately \$35,400 annually for licensure and oversight of continuing education courses. Fees established by the bill will generate the same amount in revenue to the Commerce Service Fund. Providers of continuing education will be required to pay a new course transaction fee; licensees will incur a cost in completing the courses.

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H.B. 78		Weapons Revisions--Steven E. Sandstrom		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 78 S1		Weapons Revisions--Steven E. Sandstrom		Yes						None Requested	
H.B. 81		School Employee Criminal Background Check--Sheryl L. Allen		Yes		11-Jan-10		Emily	14-Jan-10	The cost of the criminal background checks will be shifted to the individual. Costs to maintain records should be covered by the fees charged to those submitting fingerprints. School districts and charter schools may incur additional costs for extra personnel and equipment to maintain a separate file of fingerprints.	Enactment of this bill will not require additional appropriations. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 88		Electronic Cigarette Restrictions--Ronda Rudd Menlove				12-Jan-10		Emily	14-Jan-10	This bill will not require additional appropriations nor will it have a measurable fiscal impact on USOE, LEAs, or individuals	Enactment of this bill will not require additional appropriations. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 90		Income Tax Amendments--Brian S. King		Yes						None Requested	
H.B. 99		Background Checks for School Sports Officials--Laura Black		Yes		21-Jan-10		Emily	25-Jan-10	This bill directs the Criminal Investigations and Technical Services Division of DPS to maintain separate files of fingerprints for individuals applying for certification as a school sports official. This may require additional personnel and equipment; however, it is expected that fees charged to applicants will cover the additional costs. School districts may lose some sports officials if they do not complete or do not clear a background check. Individuals wishing to become a school sports official as well as those who currently are officials will be required to complete a background check and pay any fees associated with the background check. The current fees associated with educator background checks are approximately \$89.	Enacting this bill will require the Department of Public Safety's Criminal Investigations and Technical Services Division to collect and expend \$68,700 in FY 2010 and \$7,900 per year in following years. Fees revenue will off-set administrative costs. Individuals seeking certification will pay fees associated with background checks.
H.B. 103		Reduced Speed Zone Amendments--Stephen E. Sandstrom		Yes		25-Jan-10		Murrell	27-Jan-10	This bill will not require additional appropriations nor will it have a measurable fiscal impact on USOE, LEAs, or individuals.	
H.B. 105		Public School Employee Auditory Protection Requirements--Laura Black		Yes		25-Jan-10		Emily	27-Jan-10	Current OSHA standards for occupational noise exposure state that an employee who is exposed to an average of 85 decibels for at least an 8 hour period of time should receive auditory protection. According to State Risk Management employee and former OSHA employee, Karen Peterson, it is unlikely a school employee would meet those noise exposure limits. If a school board creates standards more stringent than OSHA standards, it is possible they would experience a fiscal impact by having to provide auditory protection devices and consultation by licensed audiologists to employees (Lines 44-49). It is not possible to know what standards a school board will create; therefore, it is not possible to know how many employees will be affected, nor what the fiscal impact to an LEA will be. The Division of Occupational Safety and Health will be impacted by having to consult with all 41 local school boards as well as charter schools to help them create standards (Lines 33-35). It may be more efficient to create statewide standards for school employees.	
H.B. 193		Occupations and Professions Amendments--Rebecca D. Lockhart		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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H.B. 194		Grants for Math Teacher Training--Bradley G. Last		Yes		15-Jan-10		Cathy	20-Jan-10	This bill requires the SBE to grant awards to institutions of higher education or nonprofit educational organizations for programs that provide mentoring and training leading to a secondary education license with an endorsement in mathematics for an individual who is not a teacher in a public or private school, does not have a teaching license, has a bachelor's degree or higher, and demonstrates a high level of mathematics competency. The USOE would be a fiscal agent for these funds. Rather than USOE monitoring these ARL candidates in USOE's program, the candidates would be run through institutions of higher education or nonprofit educational organizations where candidates would have access to professors and resources. The board is make rules that establish criteria for awarding grants. Since USOE does not train teachers--they certify teachers--this program could be better utilized being run by higher education or nonprofit educational organizations.	
H.B. 196		Tobacco Tax Revisions--Paul Ray		Yes						None Requested	Enactment of this bill could increase the General Fund by \$22,500,000 in FY 2011 and by \$23,000,000 in FY 2012. One million of the increase is earmarked for the Gold Medal Schools program in the Department of Health. Enactment of this bill should have no impact on local entities. Businesses are expected to see a decrease in revenue of \$38,600,000 in FY 2011 and by \$39,400,000 in FY 2012. Individuals will see an increase in cost in the aggregate of \$22,500,000 in FY 2011 and by \$23,000,000 in FY 2012.
H.B. 205		Impact Fee Amendments--Stephen E. Sandstrom		Yes		11-Jan-10		Jenefer	11-Jan-10	Changes to the bill would allow for credit, proportionate reimbursements as well as limitations of imposing impact fees by political subdivisions or private entities on school districts and charter schools. It would also add restrictions of imposing impact fees with regard to roadways, size of project, location of project, what the impact fee is tied to, school eplacement, etc. Because impact fees vary so greatly it is not possible to project the savings to school district and charter schools or the revenue lost by political subdivisions and school construction.	Enactment of this bill will not require additional appropriations.Credits allowed in the bill for school districts and charter schools may result in some savings to them depending upon the projects undertaken by local districts and charters. However, these savings will likely be passed on as lost revenue to cities and counties who will be required to waive impact fees for local education authorities. Those savings/lost revenues are estimated at approximately \$250,000 annually.
H.B. 217		Income Tax Revisions--Carl Wimmer		Yes						None Requested	Enactment of this bill could reduce the Education Fund by \$32,250,000 in FY 2011 and by \$129,000,000 beginning in FY 2012. Enactment of this bill would decrease income tax paid by businesses and individuals by .25 percent beginning in FY 2012.
H.B. 219		Delinquent Property Tax Amendments--Gage Froerer		Yes						None Requested	Enactment of this bill will not require additional appropriations but this bill could increase local revenues up to \$3,400,000 annually. There will be a corresponding increase in costs to individuals and businesses delinquent in their taxes.
H.B. 221		Sunset Act and Repealers Authorization--Kevin S. Garn	See lines 75 to 78: Changes Repeal date of Title 53A, Chapter 1a, Part 6, "Public Education Job Enhancement Program" to July 1, 2020; Repeals Title 53A, Chapter 1a, Part 9, "Voluntary Extended-day Kindergarten Program" July 1, 2011.	Yes						None Requested	Enactment of this bill will not require additional appropriations. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 233		Retirement Office Amendments--Don L. Ipson		Yes						None Requested	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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H.B. 241		Requirements for Check Casher to Cash a Check-- Wayne A. Harper		Yes		25-Jan-10		Emily	25-Jan-10	This bill will not require additional appropriations nor will it have a measurable fiscal impact on USOE, LEAs, or individuals.	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
H.B. 246		Retirement Benefits for Charter School Employees--Christine F. Watkins				26-Jan-10		Von	27-Jan-10	Most employers decide to participate or not to participate in the retirement system and this would force non-participating employers to verify information to the URS when they aren't prepared to either report in the format URS requires of employers. Also, there would be no factual method to verify if the employee had forfeited any interest in other retirement vehicles. Since the URS already allows catch-up or other payments from individuals, this will not add any additional worklod to the URS. Allowing individuals this option appears that it may set up opportunities for discrimination to benefit some employees.Charter schools would have additional reporting requirements added with no additional funding.	

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